IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAVENNE et al. Serial No.: 10/594,260

Filed: September 25, 2006

International Application No.: PCT/GB2005/001087

I. A. Filing Date: March 22, 2005

Docket No.: M04B101

Title: GEAR ASSEMBLY

Mail Stop PCT Commissioner for Patents Office of PCT Legal Administration P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Betty Lee

Signature of person mailing

Printed name of person signing this certificate

Sir:

RENEWED PETITION UNDER 37 CFR 1.47(a)

This is in response to the Decision on Petition under 37 C.F.R. § 1.47(a) mailed January 14, 2008. The applicant(s) hereby respectfully request(s) reconsideration of its petition to the Commissioner of Patents and Trademarks to accept the filing of the above-identified application by other than all of the joint inventors in accordance with the provisions of 37 C.F.R. § 1.47(a).

Applicant previously submitted on October 29, 2007: (a) a declaration of joint inventor(s) John Cambridge Smith on his (or her) own behalf and on behalf of the omitted inventor(s); and (b) a statement of facts in support of filing on behalf of the omitted inventor(s).

Attached hereto is a supplemental statement of facts in support of filing on behalf of the omitted inventor(s).

The name, last known address and citizenship of the joint inventor who refuses to execute the application or cannot be reached is as follows:

Full name:

Tristan Richard Ghislain Davenne

Citizenship:

United Kingdom

Residence address:

15 Chapel Road

Epping Essex

CM16 5DS

Country of residence: United Kingdom

The Commissioner is requested to grant a five-month extension of time and is hereby authorized to charge to Deposit Account No. 50-4244, the \$2,230.00 fee required. The Examiner is authorized to charge any additional fee, if required, to our Deposit Account No. 50-4244. This request is submitted in duplicate.

Respectfully submitted,

Date: 7/28/08

Edwards Vacuum, Inc.

Legal Services-Intellectual Property 55 Madison Avenue, Suite 400

Morristown, NJ 07960

Nay (Mithal

Reg. No. 56,238

Patent Agent for Applicant(s)

(973) 285-3309

Customer No. 71134

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAVENNE et al.

Serial No.: 10/594,260 Filed: September 25, 2006

International Application No.: PCT/GB2005/001087

I. A. Filing Date: March 22, 2005

Docket No.: M04B101

Title: GEAR ASSEMBLY

Mail Stop PCT Commissioner for Patents Office of PCT Legal Administration P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence and every writing referred to herein as being enclosed is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, VA 22313-1450 on (Date)

Betty Lee
Printed name of person signing this certificate

Signature of person mailing

Sir:

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Tristan Richard Ghislain Davenne

Citizenship:

United Kingdom

Residence address:

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Epping Essex

CM16 5DS

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Printed name of person signing this certificate

Signature of person mailing

Sir:

<u>ON BEHALF OF NON-SIGNING INVENTOR (37 C.F.R. § 1.47)</u>

This supplemental statement together with the October 29, 2007 statement is made as to the facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the non-signing inventor for the above-identified patent application. This supplemental statement is being made by the available person having first-hand knowledge of the facts recited herein.

Last Known Address of the Non-signing Inventor

Tristan Richard Ghislain Davenne

Full Name of Non-signing Inventor

15 Chapel Road, Epping, Essex, CM16 5DS, United Kingdom

Last Known Address of Non-signing Inventor

Details of Efforts to Reach Non-signing Inventor

On February 5, 2008, I sent Mr. Davenne the attached letter dated February 5, 2008 which was sent to him by courier (i.e. DHL No. 8649503052) together with a copy of patent application serial number 10/594,260, filed September 25, 2006, entitled Gear Assembly. Also enclosed with the letter were an inventor's Declaration form *listing the correct inventive entity*, an Assignment form, and a Power of Attorney form for his review and execution. A copy of the February 5, 2008 letter, patent application, and forms as sent to Mr. Davenne are attached. I sent the letter to Mr. Davenne's last known address at the time. Thereafter I learned that "Davenne" signed for the package and that the shipment was delivered as evidenced by the attached tracking history for DHL No. 8649503052, the entries entitled "Signed for by" and "2/7/2008 10:17 am."

On March 5, 2008, I sent Mr. Davenne the attached follow-up letter dated March 5, 2008 which was sent to him by courier (i.e. DHL No. 8649503133). The March 5, 2008 correspondence included a copy of the letter, patent application, and forms as sent to Mr. Davenne on February 5, 2008 (*See* attached March 5, 2008 correspondence). The March 5, 2008 letter requested Mr. Davenne to contact me at his earliest convenience. Thereafter I learned that "Davenne" signed for the package and that the shipment was delivered as evidenced by the attached tracking history for DHL No. 8649503133, the entries entitled "Signed for by" and "3/26/08 10:07 am." Neither my office nor I ever received from Mr. Davenne a response to my letter or the executed application papers.

On May 16, 2008, I sent Mr. Davenne the attached follow-up letter dated May 15, 2008 which was sent to him by courier (i.e. DHL No. 8645994280). The May 16, 2008 correspondence included a copy of the letter, patent application, and forms as sent to Mr.

Davenne on March 5, 2008 (*See* attached May 16, 2008 correspondence). The May 15, 2008 letter requested Mr. Davenne to contact me as soon as possible. According to the attached tracking history for DHL No. 8645994280, as of June 6, 2008, the package was unable to be delivered after repeated attempts by DHL to deliver the package to Mr. Davenne.

Details of Refusal of Non-signing Inventor to Sign Application Papers

Despite my above-mentioned attempts to contact Mr. Davenne, and the previous attempts by myself and my colleagues to contact Mr. Davenne as detailed in the October 29, 2007 statement of facts, I have never received any communication from Mr. Davenne and, more particularly, nor have I ever received the executed application papers. Accordingly, in view of the above-mentioned facts, together with the October 29, 2007 statement of facts, Mr. Davenne has refused to sign the declaration and thereby join in the application.

Mary K. Nicholes	
Name of Person making Statement	
Man Knichers	
Signature of Person making Statement	Date 7/28/08



Track results detail

Print this page

Tracking results detail for 8649503052

Tracking summary

Current Status

V.

Shipment delivered.

Delivered on

2/7/2008 10:17 am

Delivered to

Signed for by

DAVENNE

Tracking history

Date and	Time	Status	Location
2/6/2008 2/5/2008	10:17 am 8:28 am 6:52 am 3:44 am 6:23 pm 7:13 am 2:27 am 12:29 am 10:56 pm 8:56 pm 7:22 pm	Shipment delivered. With delivery courier. Arrived at DHL facility. Depart Facility Transit through DHL facility Depart Facility In transit. Transit through DHL facility Depart Facility Separt Facility Processed at DHL Location. Shipment picked up	Gatwick, United Kingdom Gatwick, United Kingdom Gatwick, United Kingdom East Midlands, United Kingdom East Midlands, United Kingdom Wilmington - Clinton Field, OH Wilmington - Clinton Field, OH Allentown Hub, PA Parsippany, NJ Parsippany, NJ Parsippany, NJ
	/ARDS INC n, NJ 07960	Ship To: Essex, United Kingdom	Shipment Information: Ship date: 2/5/2008 Pieces: 1 Total weight: 1 lb *
Tracking de	atail provided by DU	1 · 2/8/2008 2·06·15 pm pt	Ship Type: Shipment Reference: M04B101 Service: Express Special Service: Description: DOCS

Tracking detail provided by DHL: 2/8/2008, 2:06:15 pm pt.

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* Note on weight:

The weights displayed on this website are the weights provided when the shipment was created. Actual chargeable weights may be different and will be provided on invoice.



VIA DHL

February 5, 2008

LEGAL SERVICES - INTELLECTUAL PROPERTY

55 Madison Avenue Morristown, NJ 07960 USA

Tel: +1 973 285 3309 In USA: +1 800 848 9800

Fax: +1 973 285 3320

Mr. Tristan Richard Ghislain Davenne 15 Chapel Road Epping Essex CM16 5DS United Kingdom

RE:

U.S. Patent Application No. 10/594,260

Filing Date: September 25, 2006

Title: GEAR ASSEMBLY Dkt. No. M04B101

Dear Mr. Davenne:

In following up with you, once again, regarding my correspondence of October 9, 2007, it has come to my attention that a page of the Declaration mailed to you on October 9^{th} was inadvertently not included.

Accordingly, enclosed please find a copy of the above-referenced patent application for the invention of which you are a co-inventor. Also enclosed for your execution is (a) a complete inventor's Declaration to be signed (and dated) by you in blue ink; (b) an Assignment which you should sign on the same date that you sign (and date) the Declaration; and (c) a Power of Attorney and Correspondence Address Indication Form which you should also please sign and date.

Please review the application carefully and make sure that you agree with its contents prior to executing the Declaration.

If there are no changes to be made, please read the Declaration carefully, paying particular attention to the fact that, by signing the Declaration, you acknowledge the following:

a) To the best of your knowledge, you are the first and true inventor of the subject matter of the patent application.

You owe the highest duty of candor and good faith in your dealings with the Patent and Trademark Office, and in discharge of this duty, you must disclose to the Patent and Trademark Office any information of which you are aware that is "material to examination of this application" as defined in the attached 37 CFR § 1.56. Such information is material when, at least in part, there is a substantial likelihood that a patent examiner would consider it important in deciding whether the subject matter of the present application is patentable.

After these steps have been taken, please sign (and date) the Declaration.

The Assignment should be signed by you <u>and witnessed</u> at the same time that you sign and date the Declaration.

The Power of Attorney and Correspondence Address Indication Form should be signed and dated by you.

Please return the application copy with the <u>signed</u> Declaration, <u>signed</u> Assignment and <u>signed</u> Power of Attorney. The extra copy of the application is for your records.

Mr. Tristan Richard Ghislain Davenne February 5, 2008 Page 2

I look forward to receiving these papers as soon as possible. Indeed, please send me an e-mail regarding when the papers can be expected.

On behalf of Edwards Vacuum, Inc., thank you once again for your submittal of the above-referenced invention record on which the patent application is based. If you have any concerns or questions, please do not hesitate to contact me.

Best Regards,

Kristi Nicholes | Patent Agent | Edwards

Tel: 1 973 285 3309 | Mobile: 1 862 812 4944 | kristi.nicholes@edwardsvacuum.com

Enclosures
Declaration (attached to § 1.56 and application as filed)
Application as filed
Power of Attorney
Assignment

MKN:bjl

DESTINATION CODE	(1) (2) (2) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4	My all postato or saving actions are resistate before all bocacos. The international Express The international Express The international Express The international Programmes Control		Service Options (extra charges may apply)	offic		Dom. Priority 1 to Standard 1PA 1SAL 190			SERVICES CHARGES FOUNDS	ptaill		orida S	Doop Box 6 TOTAL TO THE PARTY OF THE PARTY O	THANSDIR CONFESSION		PAYMENT DETAILS (CASA) ST			Aum Viele	Procedulty By Control (Fig. 1997)
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REORDER BRE404455-16 OTY 100 Process and Track your shipment online: http://www.dhl.com 1-800-CALL-DHL in USA ON WAYBILLES WENDERSTREET	Charge to Shipper Receiver 3rd Party Cash Payer Account No.	Not all payment options or Carriage (in US \$) options are available in all countries.	Ser Contact Name	Shipper's Reference (up to 35 characters)	D. Tal	Company Name	Address		MOSION AVE	Post/ZIP Code (required)	5 678 5687833	2 To (Receiver)	Olios	Contact Person Mr. Tristan Richard Chic		15 Chapel Road	Epping	Essex CM16 5DS	THE TOTAL S	County United Kingdom	Post/ZIP Code (required) Phone, Fax, or E-mail (required)

PTO/SB/01 (07-07)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Attorney Docket M04B101 DECLARATION FOR UTILITY OR Number First Named Inventor **DESIGN** DAVENNE et al. PATENT APPLICATION COMPLETE IF KNOWN (37 CFR 1.63) Application Number 10/594,260 Filing Date Declaration Declaration September 25, 2006 Submitted OR Submitted after Initial Art Unit With Initial Filing (surcharge Filing (37 CFR 1.16 (e)) **Examiner Name** required) I hereby declare that: Each inventor's residence, mailing address, and citizenship are as stated below next to their name. I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **GEAR ASSEMBLY** (Title of the Invention) the specification of which is attached hereto OR was filed on (MM/DD/YYYY) 03/22/2005 as United States Application Number or PCT International PCT/GB2005/001087 Application Number and was amended on (MM/DD/YYYY) (if applicable). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed. **Prior Foreign Application** Foreign Filing Date Priority **Certified Copy Attached?** Country Number(s) (MM/DD/YYYY) Not Claimed 0406887.0 03/26/2004 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application Direct all The address OR Correspondence 71134 correspondence to: associated with address below Customer Number: Name Address City State ZIP Country Telephone Email **WARNING:** Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor Given Name (first and middle [if any]) Family Name or Surname TRISTAN RICHARD GHISLAIN DAVENNE Inventor's Signature Date Residence: City State Country Citizenship EPPING, ESSEX UNITED KINGDOM UNITED KINGDOM Mailing Address 15 CHAPEL ROAD City State Zip Country EPPING, ESSEX CM16 5DS UNITED KINGDOM

supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

Additional inventors or a legal representative are being named on the one

PTO/SB/02A (07-07)

Approved for use through 06/30/2010, OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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DECLARATION		Supplemental Sheet Page 1 of 1								
Name of Additional Joint Inventor, if an	y:	A petition has been filed for this unsigned inventor								
Given Name (first and middle (if any))	Family Name or Surname								
JOHN CAMBRIDGE		SMITH								
Inventor's Signature				Date						
STEYNING, WEST SUSSEX Residence: City	State	1	TED KINGDOM untry	UNITED KINGDOM Citizenship						
NORTHPOINT THE DRIFTWAY UPPER BEEDING				, same						
Mailing Address	 		1	I						
STEYNING, WEST SUSSEX	State		BN44 3JX	UNITED KINGDOM						
Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor										
Given Name (first and middle (if any))		Family Name or S	urname						
Inventor's Signature				Date						
Residence: City	State		Country	Citizenship						
residence. Ony	<u> Otate</u>		Country	Citizensiip						
Mailing Address										
		,								
City	State		Zip	Country						
Name of Additional Joint Inventor, if an	y:	A petition	has been filed for this ur	nsigned inventor						
Given Name (first and middle (if any))	ľ		Family Name or Su	rname						
Inventor's Signature				Date						
Residence: City	State		Country	Citizenship						
Mailing Address	<u> </u>									
City	State		Zip	Country						

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PATENT AND TRADEMARK CASES - RULES OF PRACTICE

- It establishes, by itself or in combination with other information, a prima facie case of unpatentability of
- It refutes, or is inconsistent with, a position the applicant takes in: (Added 3/16/92) 3
- Opposing an argument of unpatentability relied on by the Office, or (Added 3/16/92)
- 3/16/92)

the specification, and before any consideration is broadest reasonable construction consistent with given to evidence which may be submitted in an conclusion that a claim is unpatentable under preponderance of evidence, burden-of-proof attempt to establish a contrary conclusion of patentability. (Added 3/16/92) established when the information compels a standard, giving each term in the claim its A prima facie case of unpatentability is

submitted if the information is not material to the patentability of any claim

remaining under consideration in the application. There is no duty to

submit information which is not material to the patentability of any

application becomes abandoned. Information material to the patentabilit of a claim that is cancelled or withdrawn from consideration need not be

Information material to the patentability

Individuals associated with the filing or prosecution of a patent (Added 3/16/92) application within the meaning of this section are:

- Each inventor named in the application; (Added 3/16/92)
- prosecutes the application; and (Added 3/16/92) Each attorney or agent who prepares or 3
- Every other person who is substantively involved ೭ inventor, with the assignee or with anyone application and who is associated with the whom there is an obligation to assign the in the preparation or prosecution of the (Added 3/16/92) application. 3
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or (Added 3/16/92)
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. (Added 11/7/00)

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DUTY TO DISCLOSE INFORMATION MATERIAL TO PATENTABILITY, (Added 3/16/92) PATENT AND TRADEMARK CASES - RULES OF PRACTICE

The public interest is best served, and the most effective patent examination

occurs when, at the time an application is being examined, the Office is

aware of and evaluates the teachings of all information material to

A patent by its very nature is affected with a public interest.

Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section.

The duty to disclose information exists with respect to each pending claim

until the claim is cancelled or withdrawn from consideration, or the

patentability. Each individual associated with the filling and prosecution of a patent application has a duty of candor and good faith in dealing with the

claim; or (Added 3/16/92)

- Ξ
- (Added an argument of patentability. Asserting $\widehat{\Xi}$

office in a counterpart application, and (Added 3/16/92) prior art cited in search reports of a foreign patent $\widehat{\Xi}$

connection with which fraud on the Office was practiced or attempted or the

However, no patent will be granted on an application in

and 1.98.

existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) duty of disclosure was violated through bad faith or intentional misconduct.

The Office encourages applicants to carefully examine: (Added 3/16/92)

- application believe any pending claim patentability defines, to make sure that any material information associated with the filing or prosecution of a patent contained therein is disclosed to the Office. (Added the closest information over which individuals 3
- when it is not cumulative to information already of record or being made of Under this section, information is material to patentability record in the application, and (Added 3/16/92)

KENSINGTON, MD.

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ASSIGNMENT

WHEREAS, I/We, Tristan Richard Ghislain Davenne and John Cambridge Smith, a citizen of/ citizens of the United Kingdom, residing at 15 Chapel Road, Epping, Essex, CM16 5DS, United Kingdom; and Northpoint, The Driftway, Upper Beeding, Steyning, West Sussex, BN44 3JX, United Kingdom, have invented certain new and useful improvements in GEAR ASSEMBLY for which I/We have made application for Letters Patent of the United States, which application may be identified in the United States Patent and Trademark Office as Serial No. 10/594,260, filed September 25, 2006; which application claims priority from International Application No. PCT/GB2005/001087, filed March 22, 2005; and,

WHEREAS, Edwards Limited, an English Company of Manor Royal, Crawley, West Sussex, RH10 9LW, United Kingdom, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me/us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I/WE, the said Tristan Richard Ghislain Davenne and John Cambridge Smith have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Edwards Limited, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the invention, the said improvements, and the said application, all applications derived therefrom and all continuing prosecution applications, conversions, divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent or Inventor's Certificates which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent or Inventor's Certificates which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Edwards Limited, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

I/WE HEREBY covenant that I/We have full right to convey the entire interest herein assigned, and that I/WE have not executed, and will not execute, any agreement in conflict herewith.

Dkt. No. M04B101 - Page 2 of 2

AND I/WE HEREBY further covenant and agree that I/We will communicate to the said Edwards Limited, its successors, legal representatives and assigns, any facts known to me/us respecting said invention and said improvements, and testify in any legal proceeding, sign all lawful papers, execute all continuing prosecution, divisional, continuing, reexamination and reissue applications, make all rightful oaths, and generally do everything possible to aid the said Edwards Limited, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said inventions and improvements in all countries.

Date	<u>Assignor</u>	Witnessed By:
	Tristan Richard Ghislain Davenne	At:
·	John Cambridge Smith	At:

PTO/SB/81 (01-06)

Approved for use through 12/31/2008, OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY and **CORRESPONDENCE ADDRESS** INDICATION FORM

Application Number	10/594,260
Filing Date	September 25, 2006
First Named Inventor	DAVENNE et al.
Title	GEAR ASSEMBLY
Art Unit	
Examiner Name	
Attorney Docket Number	M04B101

I hereby revoke a	all previous powers of attorney of	given in the al	ove-identified and	dication					
I hereby appoint:			sove identified app	nication.					
	ssociated with the Customer Number:		71134						
Practitioner(s)	named below:								
	Name		Regis	tration Numb	er				
as my/our attorney(s)	or agent(s) to prosecute the application	n identified above	, and to transact all bu	siness in the	United States Patent and				
Please recognize or change the correspondence address for the above-identified application to: The address associated with the above-mentioned Customer Number: OR									
OR Firm or Individual	s associated with Customer Number:								
Address									
City		 :	State		Zip				
Telephone			Email						
Applicant/Inve	entor. record of the entire interest. See 37 CFF ader 37 CFR 3.73(b) is enclosed. (Form	R 3.71.							
			signee of Record						
Signature				Date					
Name	TRISTAN RICHARD GHISLAIN DAVE	INNE		Telephone					
Title and Company	<u> </u>								
NOTE: Signatures of all the signature is required, see	he inventors or assignees of record of the ent below*.	tire interest or their	representative(s) are requ	ired. Submit m	ultiple forms if more than one				
*Total of	forms are submitted.								

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Track results detail

Print this page

Tracking results detail for 8649503133

Tracking summary

Current Status

Shipment delivered.

Delivered on

3/26/2008 10:07 am

Delivered to

Signed for by

DAVENNE

Tracking history

Date and Time	Status	Location
3/26/2008 10:07 am	Shipment delivered.	Gatwick, United Kingdom
8:24 am	With delivery courier.	Gatwick, United Kingdom
3/14/2008 9:49 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
3/13/2008 9:58 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
3/12/2008 10:11 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
3/11/2008 10:17 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
3/10/2008 8:41 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
3/7/2008 10:12 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
8:34 am	With delivery courier.	Gatwick, United Kingdom
6:36 am	Arrived at DHL facility.	Gatwick, United Kingdom
3:40 am	Depart Facility	East Midlands, United Kingdom
3/6/2008 5:59 pm	Transit through DHL facility	East Midlands, United Kingdom
6:49 am	Depart Facility	Wilmington, OH
2:10 am	In transit.	Wilmington, OH
1:02 am	Transit through DHL facility	Allentown Hub, PA
3/5/2008 10:57 pm	Depart Facility	Parsippany, NJ
10:05 pm	Processed at DHL Location.	Parsippany, NJ
9:57 pm	Shipment picked up	Parsippany, NJ
Ship From:	Ship To:	Shipment Information:
BOC EDWARDS INC	Essex, United Kingdom	Ship date: 3/5/2008
Morristown, NJ 07960		Pieces: 1
United States		Total weight: 1 lb *
		Ship Type:
•		Shipment Reference: MO4B101
		Service: Express
		Special Service:
		Description: DOCS
Tracking detail provided by DHL:	3/26/2008, 5:39:58 am pt.	

You are authorized to use DHL tracking systems solely to track shipments tendered by or for you to DHL. Any other use of DHL tracking systems and information is strictly prohibited.

* Note on weight:
The weights displayed on this website are the weights provided when the shipment was created. Actual chargeable weights may be different and will be provided on invoice.



VIA DHL

March 5, 2008

LEGAL SERVICES

55 Madison Avenue, Suite 400 Morristown, NJ 07960 USA

> Tel: +1 973 285 3309 In USA: +1 800 848 9800 Fax: +1 973 285 3320

Mr. Tristan Richard Ghislain Davenne 15 Chapel Road Epping Essex CM16 5DS United Kingdom

RE:

U.S. Patent Application No. 10/594,260

Filing Date: September 25, 2006

Title: GEAR ASSEMBLY Docket No. M04B101

Dear Mr. Davenne:

On February 5, 2008 a letter was mailed to you that requested your review and execution of a Declaration form, a Power of Attorney form and an Assignment contract relating to the above-referenced patent application. A further copy of this letter and the documents for execution are enclosed.

We note that the DHL record (i.e. DHL No. 8649503052) concerning shipment of these documents was signed for by "Davenne" on February 7, 2008. To date, we have received neither an e-mail nor the executed documents nor any communication from you whatsoever. Once again, please contact me at your earliest convenience, but by no later than <u>March 10, 2008</u>, regarding when we can expect to receive the executed documents.

Note that we have made diligent efforts to secure your review and execution of the Declaration, Power of Attorney and Assignment documents.

On August 30, 2007, a letter regarding the above-referenced patent application was sent to your last known address at the time. Thereafter, we learned that you had moved as shown in the enclosed tracking history for DHL No. 7407809743, the entry entitled "9/3/2007 10:18 am."

On September 25, 2007, we obtained a more recent address for you and on October 9, 2007 sent to your new address, another letter dated October 9, 2007 regarding the above-referenced patent application. Thereafter we learned that the shipment was received and signed for by "Davenne" as shown in the enclosed tracking history for DHL No. 7407809953, the entries entitled "Signed for by" and "10/11/2007 10:46 am."

In yet another attempt to communicate with you, we sent a follow-up letter dated October 22, 2007 which was received and signed for by "Davenne" as shown in the enclosed tracking history for DHL No. 740789032, the entries entitled "Signed for by" and "10/24/2007 11:12 am."

WWW.EDWARDSVACUUM.COM

On February 5, 2008 we mailed to you, once again, a letter together with a complete set of the formal documents for your review and execution. The February 5, 2008 letter was received and signed for by "Davenne" as shown in the enclosed tracking history for DHL No. 8649503052.

You have never responded to my October 9, 2007, October, 22, 2007, or February 5, 2008 letters.

In addition to our above-mentioned efforts to contact you and obtain execution of the formal documents, we previously attempted to contact you by mail on November 8, 2006, November 22, 2006 and December 20, 2006. Moreover, we understand that the formal documents were given to you for your execution while you were still employed by Edwards "but...[you] refused to sign them and left them on...[your] desk upon departure" (See enclosed May 11, 2007 e-mail).

We request, once again, your cooperation in reviewing the documents and mailing them to us for receipt by no later than <u>March 13, 2008</u>. If I can be of any assistance to you, please do not hesitate to contact me.

Sincerely,

Kristi Nicholes, J.D.

Patent Agent

Edwards

Tel.: 1-973-285-3309 Fax: 1-973-285-3320

E-mail: kristi.nicholes@edwardsvacuum.com

Kinh' Mils

1/17/08 3	DESTINATION CODE	B Products & Services	all products or service options are available tofrom all bocalions. Chilemational Express Envelope	ent Service)	NA SHEET	Service Options (extra charges may apply)	Delivery Notification Signature Required	Global Mail Ohr, Priority Ohr, Standard Ohr Ohr		DIMENSIONALI/CHARGEABLE(WEIGHT	Condition of the condit		n Florida		Drop Box 87 Trong to	TRANSPORTICOLLECT STICKERING	PAYMENT DETAILS (Check, Card No.))	No	Type Expires Auth	PICKEDIUPIBY	Time Ado Date
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٠,	Process and Track your shipment online: http://wwww.dhil.com 1-800-CALL-DHL in USA only WAYBILL: ***********************************	r 3rd Party Cose Cosh		(in US \$)	Contact Name	Betty Lee	THE STATE OF THE S	INC		O.N.	nings in an ann ann ann ann ann ann ann ann a	Phone, Fax, or E-mail (required)	Management of Conference and the foreign pages in the proof to the proof to the conference of the foreign page.	Attac	hislain Davenne		. Destin	_ r	S O S	Country West United Kingdom dama	Phone, Fax, or E-mail (required) respired respired
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✓ IA DHL

February 5, 2008

LEGAL SERVICES - INTELLECTUAL PROPER TY

55 Madison Avenue Morristown, NJ 07960

Tel: +1 973 285 3 309 In USA: +1 800 848 9 800

Fax: +1 973 285 3 320

Mr. Tristan Richard Ghislain Davenne 1 5 Chapel Road Epping Essex CM16 5DS United Kingdom

RE:

U.S. Patent Application No. 10/594,260

Filing Date: September 25, 2006

Title: GEAR ASSEMBLY Dkt. No. M04B101

Dear Mr. Davenne:

In following up with you, once again, regarding my correspondence of October 9, 2007, it has come to my attention that a page of the Declaration mailed to you on October 9^{th} was inadvertently not included.

Accordingly, enclosed please find a copy of the above-referenced patent application for the invention of which you are a co-inventor. Also enclosed for your execution is (a) a complete inventor's Declaration to be signed (and dated) by you in blue ink; (b) an Assignment which you should sign on the same date that you sign (and date) the Declaration; and (c) a Power of Attorney and Correspondence Address Indication Form which you should also please sign and date.

Please review the application carefully and make sure that you agree with its contents prior to executing the Declaration.

If there are no changes to be made, please read the Declaration carefully, paying particular attention to the fact that, by signing the Declaration, you acknowledge the following:

a) To the best of your knowledge, you are the first and true inventor of the subject matter of the patent application.

b) You owe the highest duty of candor and good faith in your dealings with the Patent and Trademark Office, and in discharge of this duty, you must disclose to the Patent and Trademark Office any information of which you are aware that is "material to examination of this application" as defined in the attached 37 CFR § 1.56. Such information is material when, at least in part, there is a substantial likelihood that a patent examiner would consider it important in deciding whether the subject matter of the present application is patentable.

After these steps have been taken, please sign (and date) the Declaration.

The Assignment should be signed by you <u>and witnessed</u> at the same time that you sign and date the Declaration.

The Power of Attorney and Correspondence Address Indication Form should be signed and dated by you.

Please return the application copy with the <u>signed</u> Declaration, <u>signed</u> Assignment and <u>signed</u> Power of Attorney. The extra copy of the application is for your records.

WWW.**EDWARDSVACUUM**,COM

Edwards Vacuum. Inc., a Delaware Corporation

Mr. Tristan Richard Ghislain Davenne February 5, 2008 Page 2

I look forward to receiving these papers as soon as possible. Indeed, please send me an e-mail regarding when the papers can be expected.

On behalf of Edwards Vacuum, Inc., thank you once again for your submittal of the above-referenced invention record on which the patent application is based. If you have any concerns or questions, please do not hesitate to contact me.

Best Regards,

Kristi Nicholes | Patent Agent | Edwards

Tel: 1 973 285 3309 | Mobile: 1 862 812 4944| kristi.nicholes@edwardsvacuum.com

Enclosures
Declaration (attached to § 1.56 and application as filed)
Application as filed
Power of Attorney
Assignment

MKN:bjl

PTO/SB/01 (07-07) Approved for use through 06/30/2010, OMB 0651-0032

	U.S. Patent and Trad	emark Office; U.S. DEPART	MENT OF COMMERCE
no persons are required to res	pond to a collection of inform	ation unless it contains a val	id OMB control number
	Attorney Docket	11045464	

Number

M04B101

DESIGN	First Na	med Inventor	DAVI	ENNE et al.								
PATENT APPLICATION		CC	MPLETE	IF KNOWN								
(37 CFR 1.63)	Applicat	ion Number	110/50	14.260								
Declaration / Declaration	Filing Da			94,260 								
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Filing (37 CFR 1.16 (e)) required)	Examine	or Name										
required	Examine	. Itallie										
I hereby declare that:												
Each inventor's residence, mailing address, and citizen	shin are as stated	helow navt to	thair nam									
		•										
I believe the inventor(s) named below to be the original which a patent is sought on the invention entitled:	and first inventor(s	s) of the subje	ct matter	which is clai	med and for							
GEAR ASSEMBLY												
the specification of which	tle of the Invention,	,										
is attached hereto												
OR												
was filed on (MM/DD/YYYY) 03/22/2009	as Un	ited States Ap	plication	Number or P	CT International							
Application Number PCT/GB2005/001087 and was	amended on (MM/	DD/YYYY)			(if applicable).							
I hereby state that I have reviewed and understand the	contents of the abo	•	specificati	on including								
amended by any amendment specifically referred to abo	ve.		op o omout	on, moldang	the Cialitis, as							
I acknowledge the duty to disclose information which	is material to pat	entability as	defined in	37 CFR 1.	56. including for							
continuation-in-part applications, material information wand the national or PCT international filing date of the co	nich hecame avail	lahla hatwaar	the filing	date of the	prior application							
hereby claim foreign priority benefits under 35 U.S.C.	110/a\ (d) or (f)	01 2CE/h) -/	any fore	ign applicati	on(s) for patent.							
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Under the Paperwork Reduction Act of 1995,

DECLARATION FOR UTILITY OR

[Page 1 of 2]
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

Citizenship

supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

UNITED KINGDOM

Country

UNITED KINGDOM

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application Direct all The address OR Correspondence correspondence to: 71134 associated with address below Customer Number: Name Address City State ZIP Country Telephone Email WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor Given Name (first and middle [if any]) Family Name or Surname TRISTAN RICHARD GHISLAIN DAVENNE Inventor's Signature Date

Country

UNITED KINGDOM

Zip

CM16 5DS

Residence: City

EPPING, ESSEX

Mailing Address
15 CHAPEL ROAD

EPPING. ESSEX

City

State

State

Additional inventors or a legal representative are being named on the one

Approved for use through 06/30/20 (07-07)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

ADDITIONAL INVENTOR(S)

Supplemental Short

DECLARATION	-	Suppleme		eet,	Pi	age 1 of 1				
Name of Additional Joint Inventor, if a	ny:	A pe	tition has	s been filed for this	unsigne	ed inventor				
Given Name (first and middle (if any	y))	Family Name or Surname								
JOHN CAMBRIDGE		SMITH								
Inventor's Signature					Date					
STEYNING, WEST SUSSEX Residence: City	State		UNITED Countr	KINGDOM Y	UNITE	ED KINGDOM enship				
NORTHPOINT THE DRIFTWAY UPPER BEEDING					1 5	oomp				
Mailing Address										
STEYNING, WEST SUSSEX City	State		1	N44 3JX Zip	UNITE	ED KINGDOM				
Name of Additional Joint Inventor, if an	ıy:	A pet	ition has	been filed for this u						
Given Name (first and middle (if any))	Family Name or Surname								
Inventor's Signature					Date					
Residence: City	State		Co	untry		Citizenship				
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Name of Additional Joint Inventor, if an					Count					
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This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information formation. Sent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DUTY TO DISCLOSE INFORMATION MATERIAL TO PATENTABILITY. (Added 3/16/92)

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination submitted if the information is not material to the patentability of any claim connection with which fraud on the Office was practiced or attempted or the Office, which includes a duty to disclose to the Office all information known aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filling and prosecution of a patent application has a duty of candor and good faith in dealing with the existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be duty of disclosure was violated through bad faith or intentional misconduct. Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) Information material to the patentability The duty to disclose information exists with respect to each pending claim to that individual to be material to patentability as defined in this section. of a claim that is cancelled or withdrawn from consideration need not be occurs when, at the time an application is being examined, the Office is material to patentability of any claim issued in a patent was cited by the The Office encourages applicants to carefully examine: (Added 3/16/92) remaining under consideration in the application. There is no duty to until the claim is cancelled or withdrawn from consideration, or the submit information which is not material to the patentability of any and 1.98. However, no patent will be granted on an application in application becomes abandoned,

- office in a counterpart application, and (Added 3/16/92) prior art cited in search reports of a foreign patent
- associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office. (Added the closest information over which individuals (5)
- when it is not cumulative to information already of record or being made of record in the application, and (Added 3/16/92) Under this section, information is material to patentability

PATENT AND TRADEMARK CASES - RULES OF PRACTICE

- It establishes, by itself or in combination with other information, a prima facie case of unpatentability of claim; or (Added 3/16/92) \in
- It refuses, or is inconsistent with, a position the applicant takes in: (Added 3/16/92) 3
- Opposing an argument of unpatentability relied on by the Office, or (Added 3/16/92) Ξ
- (Added Asserting an argument of patentability. 3/16/92) $\widehat{\Xi}$

ij the specification, and before any consideration is broadest reasonable construction consistent with given to evidence which may be submitted in an conclusion that a claim is unpatentable under preponderance of evidence, burden-of-proof A prima facie case of unpatentability is established when the information compels a attempt to establish a contrary conclusion of standard, giving each term in the claim its patentability. (Added 3/16/92)

- Individuals associated with the filing or prosecution of a patent (Added 3/16/92) application within the meaning of this section are:
- Each inventor named in the application; 3/16/92)
- (Added 3/16/92) Each attorney or agent who prepares or prosecutes the application; and 3
- Every other person who is substantively involved 2 inventor, with the assignee or with anyone application and who is associated with the whom there is an obligation to assign the in the preparation or prosecution of the application. (Added 3/16/92) $\widehat{\mathbb{S}}$
- comply with this section by disclosing information to the attorney, agent, or Individuals other than the attorney, agent or inventor may inventor. (Added 3/16/92)
- section includes the duty to disclose to the Office all information known to In any continuation-in-part application, the duty under this the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. (Added 11/7/00)

KENSINGTON, MD.

ASSIGNMENT

WHEREAS, I/We, Tristan Richard Ghislain Davenne and John Cambridge Smith, a citizen of/ citizens of the United Kingdom, residing at 15 Chapel Road, Epping, Essex, CM16 5DS, United Kingdom; and Northpoint, The Driftway, Upper Beeding, Steyning, West Sussex, BN44 3JX, United Kingdom, have invented certain new and useful improvements in GEAR ASSEMBLY for which I/We have made application for Letters Patent of the United States, which application may be identified in the United States Patent and Trademark Office as Serial No. 10/594,260, filed September 25, 2006; which application claims priority from International Application No. PCT/GB2005/001087, filed March 22, 2005; and,

WHEREAS, Edwards Limited, an English Company of Manor Royal, Crawley, West Sussex, RH10 9LW, United Kingdom, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me/us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I/WE, the said Tristan Richard Ghislain Davenne and John Cambridge Smith have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Edwards Limited, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the invention, the said improvements, and the said application, all applications derived therefrom and all continuing prosecution applications, conversions, divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent or Inventor's Certificates which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent or Inventor's Certificates which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Edwards Limited, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

I/WE HEREBY covenant that I/We have full right to convey the entire interest herein assigned, and that I/WE have not executed, and will not execute, any agreement in conflict herewith.

Dkt. No. M04B101 Page 2 of 2

AND I/WE HEREBY further covenant and agree that I/We will communicate to the said Edwards Limited, its successors, legal representatives and assigns, any facts known to me/us respecting said invention and said improvements, and testify in any legal proceeding, sign all lawful papers, execute all continuing prosecution, divisional, continuing, reexamination and reissue applications, make all rightful oaths, and generally do everything possible to aid the said Edwards Limited, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said inventions and improvements in all countries.

<u>Date</u>	Assignor	Witnessed By:
	Tristan Richard Ghislain Davenne	At:
	John Cambridge Smith	At:

PTO/SB/81 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Tragemark Office; U.S. DEPARTMENT OF COMMERCI

POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

ed to respond to a collection of inf	ormation unless it displays a valid OMB control number.
Application Number	10/594,260
Filing Date	September 25, 2006
First Named Inventor	DAVENNE et al.
Title	GEAR ASSEMBLY
Art Unit	
Examiner Name	
Attorney Docket Number	M04B101

l hereby revoke	all prev	ious powers of attorney g	iven in the	above-ide	entified app	lication.		
I hereby appoin	t:				<u></u>			
Practitioners OR	associated	d with the Customer Number:		71134				
Practitioner(s) named b	elow:						
		Name			Registi	ation Numb	er	
as my/our attorney(s Trademark Office co) or agent nnected th	(s) to prosecute the application in	identified abo	ve, and to tr	ransact all bus	iness in the	Unite	d States Patent and
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Telephone I am the: Applicant/Inv Assignee of Statement u.	record of t	the entire interest. See 37 CFR 3FR 3.73(b) is enclosed. (Form P	3.71. 2TO/SB/96)	Email				
		SIGNATURE of A		Assignee o	f Record			
Signature						Date	т —	
Name	TRISTA	N RICHARD GHISLAIN DAVEN	INE			Telephone	┼─	
Title and Company							٠	
NOTE: Signatures of all t signature is required, see	he inventor below*.	s or assignees of record of the entire	Interest or their	r representat	lve(s) are require	d. Submit mu	ıltiple f	orms if more than one
*Total of	1	forms are submitted.					_	

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Track results detail

Print this page

Tracking results detail for 8645994280

Tracking summary

Current Status

€ Shipper Contacted

Tracking history

Date and Time	Status	Location
6/12/2008 2:07 pm	Shipper Contacted	Gatwick, United Kingdom
6/6/2008 10:13 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
6/5/2008 10:06 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
6/4/2008 9:51 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
6/3/2008 9:55 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
6/2/2008 10:06 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
7:33 am	With delivery courier.	Gatwick, United Kingdom
5/27/2008 10:54 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
5/22/2008 5:55 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
5/21/2008 5:40 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
5/20/2008 5:52 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
5/19/2008 12:09 pm	Delivery attempted; recipient not home	Gatwick, United Kingdom
8:05 am	With delivery courier.	Gatwick, United Kingdom
6:32 am	Arrived at DHL facility.	Gatwick, United Kingdom
5:20 am	Depart Facility	London-heathrow, United Kingdom
2:14 am	Processed at DHL Location.	London-heathrow, United Kingdom
5/18/2008 7:13 pm	Transit through DHL facility	London-heathrow, United Kingdom
8:39 am	Depart Facility	East Midlands, United Kingdom
8:39 am	In transit.	East Midlands, United Kingdom
4:03 am	Transit through DHL facility	East Midlands, United Kingdom
5/17/2008 7:50 am	Depart Facility	Wilmington, OH
2:58 am	In transit.	Wilmington, OH
2:58 am	Processed at DHL Location.	Wilmington, OH
12:41 am	Transit through DHL facility	Allentown Hub, PA
5/16/2008 10:50 pm	Depart Facility	Parsippany, NJ
9:08 pm	Processed at DHL Location.	Parsippany, NJ
8:56 pm	Shipment picked up	Parsippany, NJ
Ship From:	Ship To:	Shipment Information:
BOC EDWARDS INC	Essex, United Kingdom	Ship date: 5/16/2008
Morristown, NJ 07960		Pieces: 1
United States		Total weight: 1 lb *
		Ship Type:
		Shipment Reference: M04B101
		Service: Express
		Special Service:
		Description: DOCS
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Tracking detail provided by DHL: 6/12/2008, 7:52:07 am pt.

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VIA DHL

May 15, 2008

LEGAL SERVICES - INTELLECTUAL PROPERTY

55 Madison Avenue Morristown, NJ 07960 USA

Tel: +1 973 285 3309 In USA: +1 800 848 9800 Fax: +1 973 285 3320

Mr. Tristan Richard Ghislain Davenne 15 Chapel Road Epping Essex CM16 5DS United Kingdom

RE:

U.S. Patent Application No. 10/594,260

Filing Date: September 25, 2006

Title: GEAR ASSEMBLY Dkt. No. M04B101

Dear Mr. Davenne:

On March 5, 2008, we mailed to you a letter (copy enclosed) requesting that you review and execute a Declaration form, a Power of Attorney form and an Assignment contract relating to the above-referenced patent application (copies enclosed).

Our records indicate that shipment of our March 5, 2008 letter, as tracked by DHL No. 8649503133 (copy enclosed), was delivered on March 26, 2008 and signed for by "Davenne." However, we have not yet received back from you the executed documents nor have we been contacted by you regarding any issues you may have regarding our request. Kindly contact me as soon as possible, but by no later than <u>May 23, 2008</u>, regarding when we can expect to receive the executed documents.

We request, once again, your cooperation in reviewing and executing the Declaration form, Power of Attorney form and Assignment contract, and mailing them to us for receipt by no later than <u>May 30, 2008</u>. Please do not hesitate to contact me if you need any assistance.

Sincerely,

Kristi Nicholes, J.D.

Patent Agent

Edwards

Tel.: 1-973-285-3309 Fax.: 1-973-285-3320

E-mail: kristi.nicholes@edwardsvacuum.com

Krist Muhr

Enclosures

MKN:bjl

0+0=0 Global Mail Delivery Notification 🔲 Signature Rec Service Options (extra charges may apply) Dom. Priority Dom. Standar DESTINATION CODE 80/E0/E Other S P Repair/Return Temporary Declared Value for Customs (in US \$) | Schedule B Number / Hamonized Code (if applicable) (as on commercial/proforms invoice) 5 / 16 / 08 patent appln, declaration, assignment, 6 Duttable Shipments Only (Customs requirement)
Attach the original and four copies of a Proforma or Commercial Involce.
Export License No./Symbol (if applicable) | Receiver's VAT/GST or Shipper's EIN/SSN Height HE power of attorney forms (39 pages) Total Weight | Dimensions (in inches) | If DHL Express Document | Pieces Length Width | packaging used, enter XD. | Date Destination Duties/Taxes If left blank, Receiver pays duties/taxes TYPE OF EXPORT 864 5994 280 CHG CHG NO COMMERCIAL VALUE Shipper Other. Signature (required) Keth Give Content and Quantity 4 | Shipment Details AES TRANSACTION NUMBER Value Protection is availa recipient or 3rd party refu Process and Track your shipment online: http://www.dhl.com 1-800-CALL-DHL in USA only WAXBILL (Non-regulate) Receiver Total number of packages Mr. Tristan Richard Chislain Davenne Cash
Check
Credit Card Phone, Fax, or E-mail (required), 31 Not all paymer options are available 300 UNITED KINGDOM Phone, Fax, or E-mail (required) OTY Betty Lee Contact Name 1 | Payer account number and shipment val Delivery Address DHL Cannot Deliver to a PO Box 15 Chapel Road Charge to Shipper Receiver 3rd Party REDROER BUZYOU455-17 EDWARDS VACUUM INC Yes Declared Value for Carriage (in US \$): Shipment Value Protection (see reverse) CM16 5DS Shipper's Reference (up to 35 characters, UNITED KINGDOM 55 MADISON AVE Shipper's Account Number Shipper's Account Number Shipper's Account Number Shipper's Account Number Shipper's Account Number Shipper's Herence (up to Shipper's Reference (up to Company Name Company Address STE 4 DD STE HORRISTOWN CM16 5DS Essex Payer Account No.

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VIADHL

March 5, 2008

LEGAL SERVICES

55 Madison Avenue, Suite 400 Morristown, NJ 07960 USA

> Tel: +1 973 285 3309 In USA: +1 800 848 9800

Fax: +1 973 285 3320

Mr. Tristan Richard Ghislain Davenne 15 Chapel Road Epping Essex CM16 5DS United Kingdom

RE:

U.S. Patent Application No. 10/594,260

Filing Date: September 25, 2006 Title: GEAR ASSEMBLY Docket No. M04B101

Dear Mr. Davenne:

On February 5, 2008 a letter was mailed to you that requested your review and execution of a Declaration form, a Power of Attorney form and an Assignment contract relating to the above-referenced patent application. A further copy of this letter and the documents for execution are enclosed.

We note that the DHL record (i.e. DHL No. 8649503052) concerning shipment of these documents was signed for by "Davenne" on February 7, 2008. To date, we have received neither an e-mail nor the executed documents nor any communication from you whatsoever. Once again, please contact me at your earliest convenience, but by no later than March 10, 2008, regarding when we can expect to receive the executed documents.

Note that we have made diligent efforts to secure your review and execution of the Declaration, Power of Attorney and Assignment documents.

On August 30, 2007, a letter regarding the above-referenced patent application was sent to your last known address at the time. Thereafter, we learned that you had moved as shown in the enclosed tracking history for DHL No. 7407809743, the entry entitled "9/3/2007 10:18 am."

On September 25, 2007, we obtained a more recent address for you and on October 9, 2007 sent to your new address, another letter dated October 9, 2007 regarding the above-referenced patent application. Thereafter we learned that the shipment was received and signed for by "Davenne" as shown in the enclosed tracking history for DHL No. 7407809953, the entries entitled "Signed for by" and "10/11/2007 10:46 am."

In yet another attempt to communicate with you, we sent a follow-up letter dated October 22, 2007 which was received and signed for by "Davenne" as shown in the enclosed tracking history for DHL No. 740789032, the entries entitled "Signed for by" and "10/24/2007 11:12 am."

On February 5, 2008 we mailed to you, once again, a letter together with a complete set of the formal documents for your review and execution. The February 5, 2008 letter was received and signed for by "Davenne" as shown in the enclosed tracking history for DHL No. 8649503052.

You have never responded to my October 9, 2007, October, 22, 2007, or February 5, 2008 letters.

In addition to our above-mentioned efforts to contact you and obtain execution of the formal documents, we previously attempted to contact you by mail on November 8, 2006, November 22, 2006 and December 20, 2006. Moreover, we understand that the formal documents were given to you for your execution while you were still employed by Edwards "but...[you] refused to sign them and left them on...[your] desk upon departure" (See enclosed May 11, 2007 e-mail).

We request, once again, your cooperation in reviewing the documents and mailing them to us for receipt by no later than March 13, 2008. If I can be of any assistance to you, please do not he sitate to contact me.

Sincerely,

Kristi Nicholes, J.D.

Patent Agent Edwards

Tel.: 1-973-285-3309

Fax: 1-973-285-3320

E-mail: kristi.nicholes@edwardsvacuum.com

Kinh Mills



Track results detail

Print this page

Tracking results detail for 8649503133

Tracking summary

Current Status

Shipment delivered.

Delivered on

3/26/2008 10:07 am

Delivered to

Signed for by

DAVENNE

Tracking history

Date and	Time	Status	Location
3/26/2008		Shipment delivered.	Gatwick, United Kingdom
	8:24 am	With delivery courier.	Gatwick, United Kingdom
3/14/2008		Delivery attempted; recipient not home	Gatwick, United Kingdom
3/13/2008		Delivery attempted; recipient not home	Gatwick, United Kingdom
3/12/2008		Delivery attempted; recipient not home	Gatwick, United Kingdom
3/11/2008		Delivery attempted; recipient not home	Gatwick, United Kingdom
3/10/2008		Delivery attempted; recipient not home	Gatwick, United Kingdom
3/7/2008	10:12 am	Delivery attempted; recipient not home	Gatwick, United Kingdom
	8:34 am	With delivery courier.	Gatwick, United Kingdom
	6:36 am	Arrived at DHL facility.	Gatwick, United Kingdom
	3:40 am	Depart Facility	East Midlands, United Kingdom
3/6/2008	5:59 pm	Transit through DHL facility	East Midlands, United Kingdom
	6:49 am	Depart Facility	Wilmington, OH
	2:10 am	In transit.	Wilmington, OH
	1:02 am	Transit through DHL facility	Allentown Hub, PA
3/5/2008	10:57 pm	Depart Facility	Parsippany, NJ
	10:05 pm	Processed at DHL Location.	Parsippany, NJ
	9:57 pm	Shipment picked up	Parsippany, NJ
Ship Fron	n:	Ship To:	Shipment Information:
	VARDS INC	Essex, United Kingdom	Ship date: 3/5/2008
	n, NJ 07960		Pieces: 1
United Sta	ates		Total weight: 1 lb *
			Ship Type:
			Shipment Reference: MO4B101
			Service: Express
			Special Service:
_			Description: DOCS
Tracking de	etail provided by DHI	_: 3/26/2008, 5:39:58 am pt.	

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Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Attorney Docket Altorney Docket

	NEORUI	ILITY OR	Number		M04B101		
D	ESIGN		First Named I	nventor	DAVENNE et al.		
	APPLICAT	ION		COMP	LETE IF KNOWN		
(37 (CFR 1.63)		Application No		10/594,260		
Declaration		aration	Filing Date		September 25, 200	<u> </u>	
Submitted OR With Initial	Filing	mitted after Initial g (surcharge	Art Unit				
Filing		CFR 1.16 (e)) lired)	Examiner Nan	ne	· · · · · · · · · · · · · · · · · · ·		
lhereby declare that:				•			
Each inventor's residence, n	nailing address	s, and citizenship are	as stated below	next to their	r name.		
Ibelieve the inventor(s) nam	ed below to be	the original and first	inventor(s) of the	ne subject m	atter which is clai	med and for	
which a patent is sought on the GEAR ASSEMBLY	ine invention e	ntitled:					
JOZZA CALOGENIDE I							
the specification of which		(Title of the	Invention)				
is attached hereto							
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OP						j	
OR		00/00/000	1				
OR was filed on (MM/DD/	YYYY)	03/22/2005	as United S	tates Applica	tion Number or P	CT International	
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[Page 1 of 2]
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DECLARATION		Supplemen	NAL INVENTOR(S tal Sheet		Page 1 of 1		
	 -	·			raueor		
Name of Additional Joint Inventor, if	any:	A petition has been filed for this unsigned inventor					
Given Name (first and middle (if a	ny))	Family Name or Surname					
JOHN CAMBRIDGE		SMITH					
Inventor's Signature				Da	te		
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Name of Additional Joint Inventor, if a	ny:	A petitio	on has been filed for this		untry		
Given Name (first and middle (if an	y))		Family Name or				
Inventor's Signature				Date			
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The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filling and prosecution of a patent application has a duty of candor and good faith in dealing with the A patent by its very nature is affected with a public interest.

Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim Information material to the patentability until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

submitted if the information is not material to the patentability of any claim of a claim that is cancelled or withdrawn from consideration need not be remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any

and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine: (Added 3/16/92)

office in a counterpart application, and (Added 3/16/92) prior art cited in search reports of a foreign patent

application believe any pending claim patentability associated with the filing or prosecution of a patent defines to make sure that any material information contained therein is disclosed to the Office. (Added the closest information over which individuals 3/16/92) (7)

when it is not cumulative to information already of record or being made of Under this section, information is material to patentability record in the application, and (Added 3/16/92)

It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (Added 3/16/92) \in

It refutes, or is inconsistent with, a position the applicant takes in: (Added 3/16/92) 3

Ξ

Opposing an argument of unpatentability relied on by the Office, or (Added 3/16/92) (Added Asserting an argument of patentability. 3/16/92) $\widehat{\Xi}$

conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of broadest reasonable construction consistent with A prima facie case of unpatentability is established when the information compels a patentability. (Added 3/16/92)

Individuals associated with the filing or prosecution of a patent (Added 3/16/92) application within the meaning of this section are:

(Added Each inventor named in the application; 3/16/92) Ξ

protecutes the application; and (Added 3/16/92) Each attorney or agent who prepares or 3

involved ಽ inventor, with the assignee or with anyone application and who is associated with the Every other person who is substantively whom there is an obligation to assign the in the preparation or prosecution of the (Added 3/16/92) application. 3

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or (Added 3/16/92) inventor.

section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the In any continuation-in-part application, the duty under this continuation-in-part application. (Added 11/7/00)

<u>ASSIGNMENT</u>

WHEREAS, I/We, Tristan Richard Ghislain Davenne and John Cambridge Smith, a citizen of/ citizens of the United Kingdom, residing at 15 Chapel Road, Epping, Essex, CM16 5DS, United Kingdom; and Northpoint, The Driftway, Upper Beeding, Steyning, West Sussex, BN44 3JX, United Kingdom, have invented certain new and useful improvements in GEAR ASSEMBLY for which I/We have made application for Letters Patent of the United States, which application may be identified in the United States Patent and Trademark Office as Serial No. 10/594,260, filed September 25, 2006; which application claims priority from International Application No. PCT/GB2005/001087, filed March 22, 2005; and,

WHEREAS, Edwards Limited, an English Company of Manor Royal, Crawley, West Sussex, RH10 9LW, United Kingdom, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me/us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I/WE, the said Tristan Richard Ghislain Davenne and John Cambridge Smith have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Edwards Limited, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the invention, the said improvements, and the said application, all applications derived therefrom and all continuing prosecution applications, conversions, divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent or Inventor's Certificates which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent or Inventor's Certificates which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Edwards Limited, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

I/WE HEREBY covenant that I/We have full right to convey the entire interest herein assigned, and that I/WE have not executed, and will not execute, any agreement in conflict herewith.

AND I/WE HEREBY further covenant and agree that I/We will communicate to the said Edwards Limited, its successors, legal representatives and assigns, any facts known to me/us respecting said invention and said improvements, and testify in any legal proceeding, sign all lawful papers, execute all continuing prosecution, divisional, continuing, reexamination and reissue applications, make all rightful oaths, and generally do everything possible to aid the said Edwards Limited, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said inventions and improvements in all countries.

Date	Assignor	
	Assignor	Witnessed By:
	Tricton Dishard Chiefei	
	Tristan Richard Ghislain Davenne	
		At:
•		
• •		
	John Cambridge Smith	
		A.L.
		At:

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Application Number	ormation unless it displays a valid OMB control number.
	10/594,260
Filing Date	September 25, 2006
First Named Inventor	DAVENNE et al.
Title	GEAR ASSEMBLY
Art Unit	
Examiner Name	
Attorney Docket Number	M04B101

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